

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

AMAZON.COM, INC. and AMAZON DATA
SERVICES, INC.,

Plaintiffs,

v.

WDC HOLDINGS LLC dba NORTHSTAR
COMMERCIAL PARTNERS; BRIAN
WATSON; STERLING NCP FF, LLC;
MANASSAS NCP FF, LLC; NSIPI
ADMINISTRATIVE MANAGER; NOVA
WPC LLC; WHITE PEAKS CAPITAL LLC;
VILLANOVA TRUST; CASEY
KIRSCHNER; ALLCORE DEVELOPMENT
LLC; FINBRIT HOLDINGS LLC;
CHESHIRE VENTURES LLC; CARLETON
NELSON; JOHN DOES 1-20,

Defendants.

CASE NO. 1:20-CV-484-RDA-TCB

800 HOYT LLC,

Intervening Interpleader
Plaintiff, Intervening
Interpleader Counter-
Defendant,

v.

BRIAN WATSON; WDC HOLDINGS, LLC;
BW HOLDINGS; LLC,

Interpleader Defendants,

and

AMAZON.COM, INC., and AMAZON DATA
SERVICES, INC.,

Interpleader Defendants,
Interpleader Counter-Plaintiffs.

**PLAINTIFFS' RESPONSE TO DEFENDANT CARLETON NELSON'S MOTION TO
FILE DOCUMENTS UNDER SEAL**

Pursuant to Local Civil Rule 5(C)(2), (3), and (4), Plaintiffs Amazon.com, Inc. and Amazon Data Services, Inc. respectfully submit this response to Defendant Carleton Nelson's Motion To File Documents Under Seal. Dkt. 568. Amazon does not object to Defendant Nelson's Motion to Seal and in particular, Amazon supports sealing: (i) the unredacted version of Defendant Nelson's Response In Opposition To Plaintiffs' Motion For Protective Order Regarding The Testimony Of Andrew Jassy, Peter DeSantis, And Teresa Carlson, Dkt. 570, and (ii) Exhibits A–P to the Declaration of Adam R. Smart in support of that motion, Dkt. 571. These filings contain or refer to information that Plaintiffs have designated as “Confidential” under the Protective Order. Dkt. 55. In particular, the filings contain or refer to material that is not publicly available and contains or reflects sensitive business, financial, and proprietary information. *See* Dkt. 55 at 7–8. Defendants' redactions are modest, and the redacted filing is on the public docket. Plaintiffs therefore respectfully request that the Court grant this motion to seal. *See, e.g., Mars, Inc. v. J.M. Smucker Co.*, No. 1:16-CV-01451-CMH-MSN, 2017 WL 11499735 (E.D. Va. Aug. 9, 2017) (granting motion to seal where “the information sought to be filed under seal may contain data and information that [were] designated as ‘Confidential,’ . . . under the Amended Protective Order governing th[e] case”); *Malon v. Franklin Fin. Corp.*, No. 3:14CV671, 2014 WL 12768782, at *3 (E.D. Va. Dec. 4, 2014) (granting motion to seal where documents were marked “confidential” pursuant to a protective order). Pursuant to Local Civil Rule 5(C), Plaintiffs also respectfully submit a proposed order concurrently with this response.

Dated: March 16, 2022

Veronica S. Moyé (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201
Telephone: (214) 698-3100
Facsimile: (214) 571-2900
vmoye@gibsondunn.com

Respectfully submitted,

/s/ Michael R. Dziuban
Elizabeth P. Papez (*pro hac vice*)
Patrick F. Stokes (*pro hac vice*)
Claudia M. Barrett (*pro hac vice*)
David W. Casazza (*pro hac vice*)
Michael R. Dziuban (Va. State Bar No. 89136)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
Telephone: (202) 955-8500
Facsimile: (202) 467-0539
epapez@gibsondunn.com
pstokes@gibsondunn.com
cbarrett@gibsondunn.com
dcasazza@gibsondunn.com
mdziuban@gibsondunn.com

Counsel for Plaintiffs Amazon.com, Inc. and Amazon Data Services, Inc

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I will then send the document and a notification of such filing (NEF) to the following parties via U.S. mail to their last-known address and by email, where noted:

Casey Kirschner
635 N. Alvarado Lane
Plymouth, MN 55447
By email: casey.kirschner@gmail.com

s/ Michael R. Dziuban

Michael R. Dziuban
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
Telephone: (202) 955-8500
Facsimile: (202) 467-0539
mdziuban@gibsondunn.com

*Counsel for Plaintiffs Amazon.com, Inc. and Amazon
Data Services, Inc.*